

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff;

v.

COMMONWEALTH OF PUERTO RICO,
ET AL.,

Defendants.

No. 12-cv-2039 (GAG/PG)

**JOINT MOTION FOR LEAVE TO FILE SEPARATE BRIEFS IN RESPONSE TO THE
TCA’S INFORMATIVE MOTION AT DOCKET 756**

Plaintiff, the United States of America, and Defendants, the Commonwealth of Puerto Rico, et al. (collectively, “the Parties”), respectfully move for leave to file separate briefs in response to an Informative Motion filed by Attorney Antonio Bazan on behalf of the Technical Compliance Advisor (TCA) on February 28, 2018. ECF No. 756. On the same date, February 28, this Court instructed the Parties to “file, on or before March 7, 2018, a joint restricted motion discussing the matter addressed by Counsel Bazan.” Order, ECF No. 758. For cause, the Parties state and allege as follows:

1. On February 28, 2018, Attorney Antonio Bazan filed an Informative Motion on behalf of the TCA requesting that the Court take judicial notice of a press interview by the Secretary of the Puerto Rico Department of Public Safety, Hector Pesquera, with a local newspaper. ECF No. 756. In the Informative Motion, Mr. Bazan alleged that comments reportedly made by Secretary Pesquera constituted a “flagrant violation of the order of this Honorable Court regarding documents that remain sealed in the docket of this case.” *Id.* ¶ 2. On the same date, February 28, the Court instructed the Parties to submit a “joint restricted motion” regarding the matters raised by Attorney Bazan. ECF No. 758.

2. On March 5, 2018, counsel for the Parties conferred regarding the TCA's Informative Motion. Based on these discussions, the Parties have determined that they do not share a common interest in seeking relief through a joint motion in response to the TCA's information Motion. Because of these divergent interests, the Parties believe that they can best serve the Court by filing separate briefs, if any, that state their respective positions regarding the TCA's Information Motion, including whether any relief is warranted.

WHEREFORE, the Parties respectfully request leave to file separate briefs on the matters raised by the TCA in the Informative Motion at ECF No. 756.

Respectfully submitted, this 7th day of March, 2018,

For Plaintiff UNITED STATES OF
AMERICA:

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s/ Luis E. Saucedo

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 7th of March, 2018, I filed the foregoing pleading electronically through the CM/ECF system, which caused the parties, counsel of record and the Technical Compliance Advisor on the service list to be served by electronic means.

s/Luis E. Saucedo
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